



Town of Colchester, Connecticut

127 Norwich Avenue, Colchester, Connecticut 06415

Gregg Schuster, First Selectman

**Board of Selectmen Minutes
Regular Meeting
Thursday, January 17, 2013
Colchester Town Hall**

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Nancy A. Bray
NANCY A. BRAY
TOWN CLERK

Meeting Room 1 – Immediately Following Commission Chair Meeting at 7:00PM

MEMBERS PRESENT: First Selectman Gregg Schuster, Selectman Stan Soby, Selectman James Ford, Rosemary Coyle, and Selectman Greg Cordova Selectman

MEMBERS ABSENT:

OTHERS PRESENT: Derrik Kennedy, Robert Suchecki, Dot Mrowka, Adam Turner, John Malsbenden, Diana Giles, Nancy Bray, Merja Lehtinen, Don Kennedy, Walter Cox, Don Lee, Melissa Roberto, Ryan Blessing, and other citizens.

1. Call to Order

First Selectman G. Schuster called the meeting to order at 7:25 p.m.

2. Additions to the Agenda

S. Soby moved to add to the agenda item #5b, "Parks & Recreation Commission. Member appointment to fill a vacancy for a term ending 11/30/15. Discussion and Possible Action on Alternate Member Tracy Loskant," and renumber accordingly; seconded by G. Cordova. Unanimously approved. MOTION CARRIED.

3. Approve Minutes of the January 3, 2013 Regular Board of Selectmen meeting

G. Cordova moved to approve the minutes of the January 3, 2013 Regular Board of Selectmen meeting, seconded by R. Coyle. Unanimously approved. MOTION CARRIED.

4. Citizen's Comments

N. Bray read a prepared statement regarding benefits provided to Town elected officials (attached).

L. Hill commented on concerns over revised personnel policies.

M. Lehtinen questioned appointed or elected officials time reporting requirements.

J. Malsbenden commented on compensation changes for elected officials mid-term.

J. Ford moved to add to the agenda item #5, that the "Board of Selectmen temporarily rescind the action taken by the First Selectmen with regards to the Town Clerk's comments, as it is inconsistent with Town policy," seconded by R. Coyle. Discussion ensued on the comments of the public, investigation of time recording and use of time sheets for elected and non-elected personnel. G. Schuster moved to amend the motion to read, "All full-time elected officials and employees must turn in their time on the pre-existing time sheet to verify hours worked and qualification for fringe benefits under Town policies," seconded by G. Cordova. Discussion on excessive use of authority, process of investigation and succeeding actions, and Board of Selectmen process. All opposed the motion to amend. MOTION FAILED. J. Ford and R. Coyle voted in favor of the original motion. All others opposed. MOTION FAILED. Discussion on next actions of the Board. S. Soby moved to rescind the letter previously sent to the Town Clerk and Tax

Collector until further investigation and discussion by the Board, seconded by R. Coyle. Unanimously approved. MOTION CARRIED.

5. **Boards and Commissions – Interviews and/or Possible Appointments and Resignations**

- a. **Commission on Aging. Member re-appointment for a three-year term to expire 12/31/15. Rose Levine to be interviewed.**

S. Soby moved to re-appoint Rose Levine as a member to the Commission on Aging for a three-year term to expire 12/31/15, seconded by R. Coyle. Unanimously approved. MOTION CARRIED.

- b. **Parks & Recreation Commission. Member appointment to fill a vacancy for a term ending 11/30/15. Discussion and Possible Action on Alternate Member Tracy Loskant.**

S. Soby moved to appoint Tracy Loskant as a member of the Parks & Recreation Commission to fill a vacancy for a term ending 11/30/15, seconded by G. Cordova. Unanimously approved. MOTION CARRIED.

- c. **Parks & Recreation Commission. Alternate appointment for a three-year term to expire 01/01/16. Kristin Moody was interviewed on 10/18/12 for Ethics Commission.**

R. Coyle moved to appoint Kristin Moody as an alternate to the Parks & Recreation Commission for a three-year term to expire 01/01/16, seconded by G. Cordova. Unanimously approved. MOTION CARRIED.

6. **Budget Transfers**

None.

7. **Tax Refunds & Rebates**

J. Ford moved to approve tax refunds in the amount of \$18.73 to Janet Kearney, \$267.80 to Ally Financial, and \$50.78 to Gerald & Nancy Beilman; seconded by S. Soby. Unanimously approved. MOTION CARRIED.

8. **Discussion and Possible Action on Local Elderly Tax Relief Task Force**

G. Cordova moved to form a Local Option Property Relief Task in accordance with section 129-26 of the Town ordinances, seconded by J. Ford. Unanimously approved. MOTION CARRIED.

9. **Discussion and Possible Action on Zoning Regulation Review Process**

A. Turner presented to the Board on review/revision process. Discussion on needs for further development of Regulations, priority of Regulations versus Plan of Conservation and Development, need for public inclusivity, and process of review of revisions. No action taken.

10. **Discussion and Possible Action on Personnel Policy**

Discussion on review of policy. No action taken.

11. **Citizen's Comments**

M. Lehtinen commented on thankfulness of desire to have public comment on Zoning Regulation revisions, commendation of Town for receiving GFOA Distinguished Budget Presentation Award, insurance company demand for time sheets of employees for liability issues, upcoming budget, and professionalism of First Selectman.

J. Malsbenden commented on meeting procedural matters according to Roberts Rules of Order. M. Caplet questioned having a mark-up version of Zoning Regulations, personnel policy, and meeting decorum.

D. Wasniewski commented on transparency of personnel policy revisions and Zoning Regulations priority compared to the Plan of Conservation and Development.

12. **First Selectman's Report**

First Selectman G. Schuster reported that a year ago the Town inquired about a Sidewalk Fee-in-Lieu Ordinance and are now working with State Representative M. Ziobron, CCM, and COST to push legislation allowing municipalities to enact such an ordinance. Schuster further reported that the Town is very concerned about upcoming state budget with regards to potential cuts to Town and school aid.

13. **Liaison Report**

J. Ford reported that the Friends of Cragin Library is scheduling a Book Sale in March. All funds from events help library with special projects.

R. Coyle reported that the Commission on Aging is eager to hire a new Senior Center Director. Also, Clara Erickson, a long-time member of the Commission, has recently passed away. 42 Christmas baskets were made at the Center this year.

S. Soby commented that the first weekend in February is "Freezin for a Reason" to raise funds for the Colchester Fuel Bank.

14. **Adjourn**

G. Cordova moved to adjourn at 8:52 p.m., seconded by R. Coyle. Unanimously approved.
MOTION CARRIED.

Respectfully submitted,



Derrik M. Kennedy
Executive Assistant to the First Selectman

Attachments:

- Letter from Town Clerk, Nancy Bray

I would like this letter entered into the minutes.

To: Board of Selectmen

Good Evening: I have had the distinct privilege of serving as Colchester's Town Clerk for the past thirteen years. Having been elected four times and earning the support of both parties, I respect my position and do my very best to serve the people of Colchester during and outside of the normal workday.

My hard work and dedication have been rewarded by Colchester voters allowing me to continue to serve them in this capacity.

Recently, I was advised by the First Selectman that I was required to fill out a time sheet and if I did not do so, my health benefits would be in jeopardy. Last week I received a Cobra form saying my benefits would be terminated as of Feb. 1st; as you can imagine I was shocked! The Town's Personnel Policy and the Charter both clearly state that the decision to change benefits of elected officials is that of the Board of Selectmen. To quote the policy – "Benefits provided to paid, full-time elected officials are to be determined by the Town of Colchester's Board of Selectmen and may be expanded or decreased as is deemed in the best interest of the Town". The Town's Charter in Section C-402K also states and I quote "In no event shall the Board of Selectmen delegate its policymaking authority". To my knowledge, this discussion or vote has not come before this board and Mr. Schuster has acted in violation of these policies.

In an effort to be a team player I offered my weekly calendar to the First Selectman, which he has accepted for the past 6 months. At the beginning of December I received a letter from Atty. Patrick McHale stating that the calendar was no longer acceptable. He attached a sample time sheet with total hours worked per day as a guideline. My question is why am I being treated differently than other salaried employees when they submit time cards that say "No Exceptions" except for holidays and vacations; they do not submit hours.

In all my 20 years of service I have never been confronted with any issues regarding my work ethic or the operations of my office. It is an insult to my integrity and my good standing as a Town of Colchester Elected Official. I have every confidence in the fact that the Board of Selectmen will investigate this action of the First Selectman that violates Charter and Policies of the Town.

I ask that the Board of Selectmen take no action with the new Personnel Policies without having an outside attorney look at them as I believe that Mr. Schuster is attempting to justify his action by having a policy adopted after the fact.

Thank you.

Nancy A. Bray, CMC